

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JOSE ORTIZ p/k/a JAO

07 CV 3897
(RWS)

Plaintiff,

ECF CASE

-against-

GUITIAN BROTHERS MUSIC INC.,
OSCAR GUITIAN, and UNIVERSAL
MUSIC GROUP DISTRIBUTION, INC.

Defendant(s).

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AFFIDAVIT OF JOSE ORTIZ IN SUPPORT
OF PLAINTIFF'S MEMORANDUM OF LAW IN OPPOSITION TO
DEFENDANT UNIVERSAL'S MOTION TO FOR SUMMARY JUDGMENT

The undersigned, JOSE ORTIZ p/k/a JAO, under the penalties of perjury states:

I am the Plaintiff in the above entitled action. I have personal knowledge of the facts set forth herein.

In 2003 I was solicited by Oscar Guitian and his brother Jose Manuel Guitian p/k/a Don Dinero, to compose and produce a series of musical works, to be used as the instrumental score for the motion picture "Su Vida y la Calle" (the "Motion Picture").

From July to September 2003, I authored thirteen (13) musical compositions (the "Musical Compositions") to be used as the musical score of the Motion Picture.


The copyrights in the Musical Compositions were registered on August 3, 2005 in accordance with the Copyright statute and were assigned Copyright Certificate of Registration, number PA-1-289-403. A true and correct copy of said copyright Registration Certificate including a listing of the thirteen (13) musical compositions is attached hereto as Exhibit "A."

I never assigned the copyrights in the Musical Compositions to the Defendants in this action or any third party.

I never executed a work-for-hire agreement with respect to the Musical Compositions.

I am listed as a producer of the musical score in closing credits of the Motion Picture.

Dated: New York, New York
June 12 2008


JOSE ORTIZ

Sworn to before me this
12 Day of June, 2008


Notary Public

EVELYN ARIAS
Notary Public State of New York
No. 01AR6092340 *Westchester*
Qualified in New York County
Commission Expires 06/26/11